

[illegible]

DATE: April 20, 2001

GENERAL INFORMATION:

- Preserve, protect and promote the character and unique features of rural and urban neighborhoods, including their historical and architectural elements.
- Protect and enhance features which give Lincoln and Lancaster County its distinctive character, supporting a desirable quality of life.

ANALYSIS:

OVERVIEW:

1. This is a request for a 78' wireless communications tower. The pole will replace an existing light pole in the Northeast YMCA parking lot.
2. Qwest states in their application that they approached Lincoln Public Schools regarding a location at Mickle Middle School, but were unable to reach an agreement regarding a location or lease.
3. The proposed location minimizes the impact on residential uses in the area. It is about the same distance to the residential uses to the south and west.
4. The church across the street has a steeple that is approximately 35 feet tall. The parking lot is closer to residential dwellings than the proposed site.

STANDARDS FOR EVALUATION:

Conformity with Comprehensive Plan.

5. The application is consistent with the goals of the Comprehensive Plan.

Preference of site location in accordance with Chapter 27.68.080.

6. The site is classified as a sensitive location since it is residentially zoned and in close proximity to residential uses. However, the proposed tower is adjacent to institutional uses to the north, southwest and east.

Compatibility with abutting property and surrounding land uses.

7. The proposed tower is compatible with the institutional uses. Parking lot lights, similar to the existing lights, will be attached to the pole to help it blend in with the area.

Adverse impacts such as the visual, environmental or noise impacts.

8. The adverse visual impacts are proposed to be mitigated by replacing parking lot lights on the new pole.

Availability of suitable existing structures for antenna mounting.

9. The application proposes to replace an existing parking lot light pole with a taller pole.

Scale of facility in relation to surrounding land uses.

10. The facility blends with the YMCA to the north, the Church to the east and the daycare to the southwest. It will be visible to the dwellings to the south and west.

Impact on views/vistas and impact on landmark structures/districts, historically significant structures/ districts, architecturally significant structures, landmark vistas or scenery and view corridors from visually obtrusive antennas and back-up equipment.

11. There are no known negative impacts.

Color and finish.

12. The tower is proposed to be black to match the existing light poles.

Ability to co-locate.

13. The facility is constructed to accommodate co-location, however it is unlikely that another provider would co-locate below the height of the proposed antennas due to the height of the mature tree line. A taller pole would accommodate additional providers, however, would be more noticeable.

Screening potential of existing vegetation, structures and topographic features, and screening potential of proposed facilities, ground level equipment, buildings and tower base.

14. There is no existing vegetation to screen the pole. The buildings to the north, east and southwest will provide some screening.

Impact on natural resources, open spaces, recreational trails, and other recreational resources.

15. There are no known negative impacts.

STAFF RECOMMENDATION: Conditional Approval

CONDITIONS:

Site Specific:

1. This approval permits a 78' tall wireless communications facility for a period of 15 years.

General:

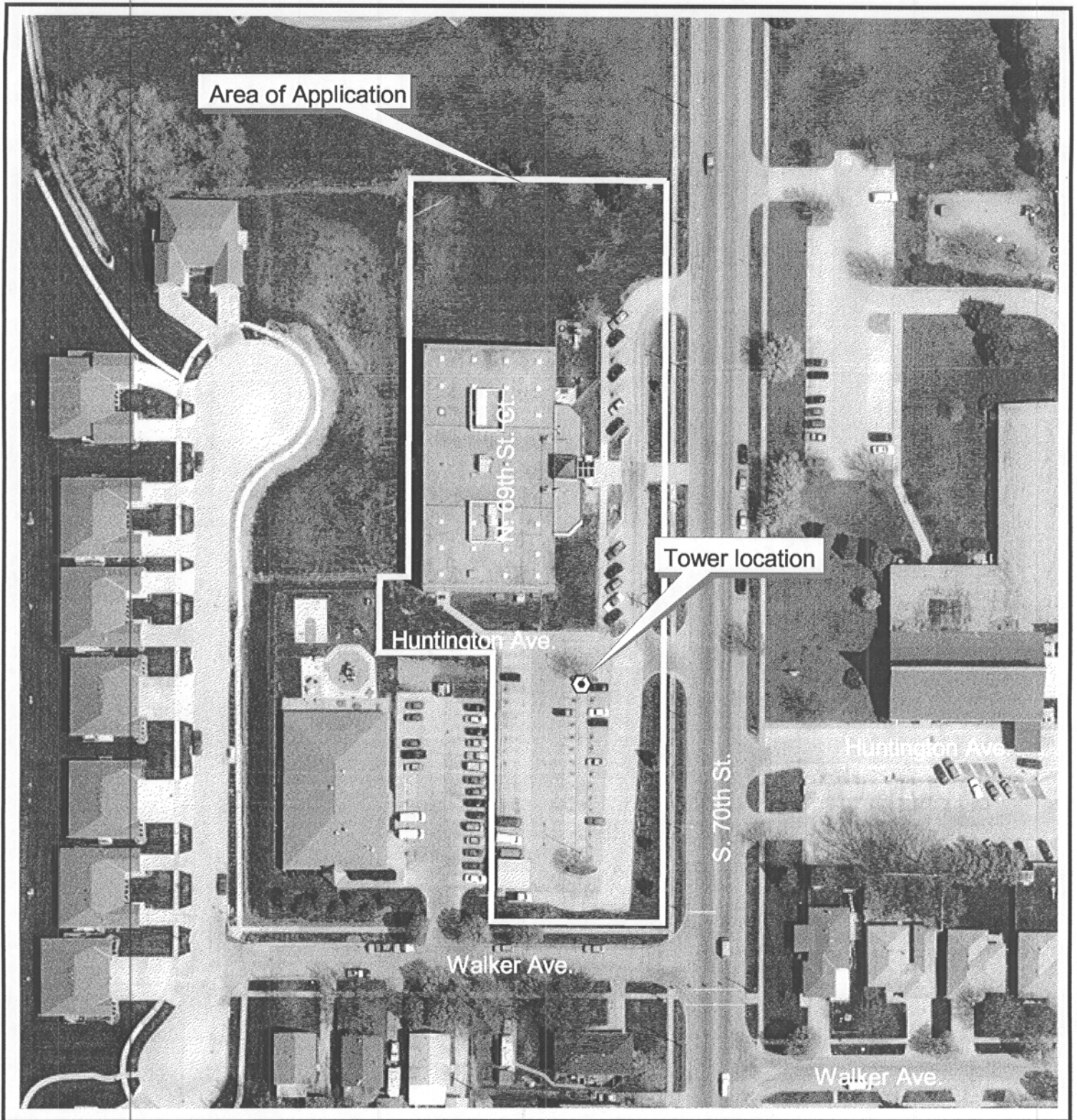
2. Before receiving building permits:
 - 2.1 The permittee shall complete the following instructions and submit the documents and plans to the Planning Department office for review and approval.

- 2.1.1 Provide structural engineering calculations for the monopole and the pier for its foundation sealed by a Nebraska Professional Engineer, satisfactory to the Building and Safety Department.
- 2.2 The permittee shall post a surety, approved by the City Attorney, in the minimum amount necessary to guarantee the removal of the facilities. The surety may not be revoked or terminated during the term of the permit.
- 3. The following conditions are applicable to all requests:
 - 3.1 Before operating this personal wireless facility, all development and construction is to comply with the approved plans.
 - 3.2 The personal wireless service provider shall comply at all times with the current applicable FCC and FAA standards and regulations, and any of those of other agencies of the federal government with authority to regulate towers and antennas.
 - 3.3 The tower shall be inspected and maintained in accordance with the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. At the time of this Special Permit, those standards were contained in the TIA/EIA-222-F. The facility operator shall conduct safety inspections in accordance with the EIA and FCC Standards and within 60 days of the inspection, file a report with the Department of Building and Safety.
 - 3.4 All privately-owned improvements, including landscaping, are to be permanently maintained by the owner.
 - 3.5 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 3.6 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 3.7 The permitted shall, within 10 days of written demand, reimburse the City for all direct and indirect costs and expenses as provided in Section 27.68.090, in connection with the issuance and review of this permit.

- 3.8 As a part of this approval, the permittee agrees that the permittee, successors and assigns shall, at its sole cost and expense, indemnify and hold harmless the City, its officers, officials, boards, commissions, agents, representatives, and employees against any and all claims, suits, losses, expenses, causes of actions, proceedings, and judgements for damage arising out of, resulting from, or alleged to arise out of or result from the construction, operation, repair, maintenance or removal of the provider's facilities. Indemnified expenses shall include, but not be limited to, all out-of-pocket expenses, such as costs of suit and defense and reasonable attorney fees, and shall also include the reasonable value of any services rendered by the City Attorney's office and any employees of the City and any consultants retained by the City.
- 3.9 The City Clerk is to file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee is to pay the recording fee.

Prepared by:

Jennifer L. Dam, AICP
Planner



Special Permit #1906
2601 N. 70th St.
Qwest Tower

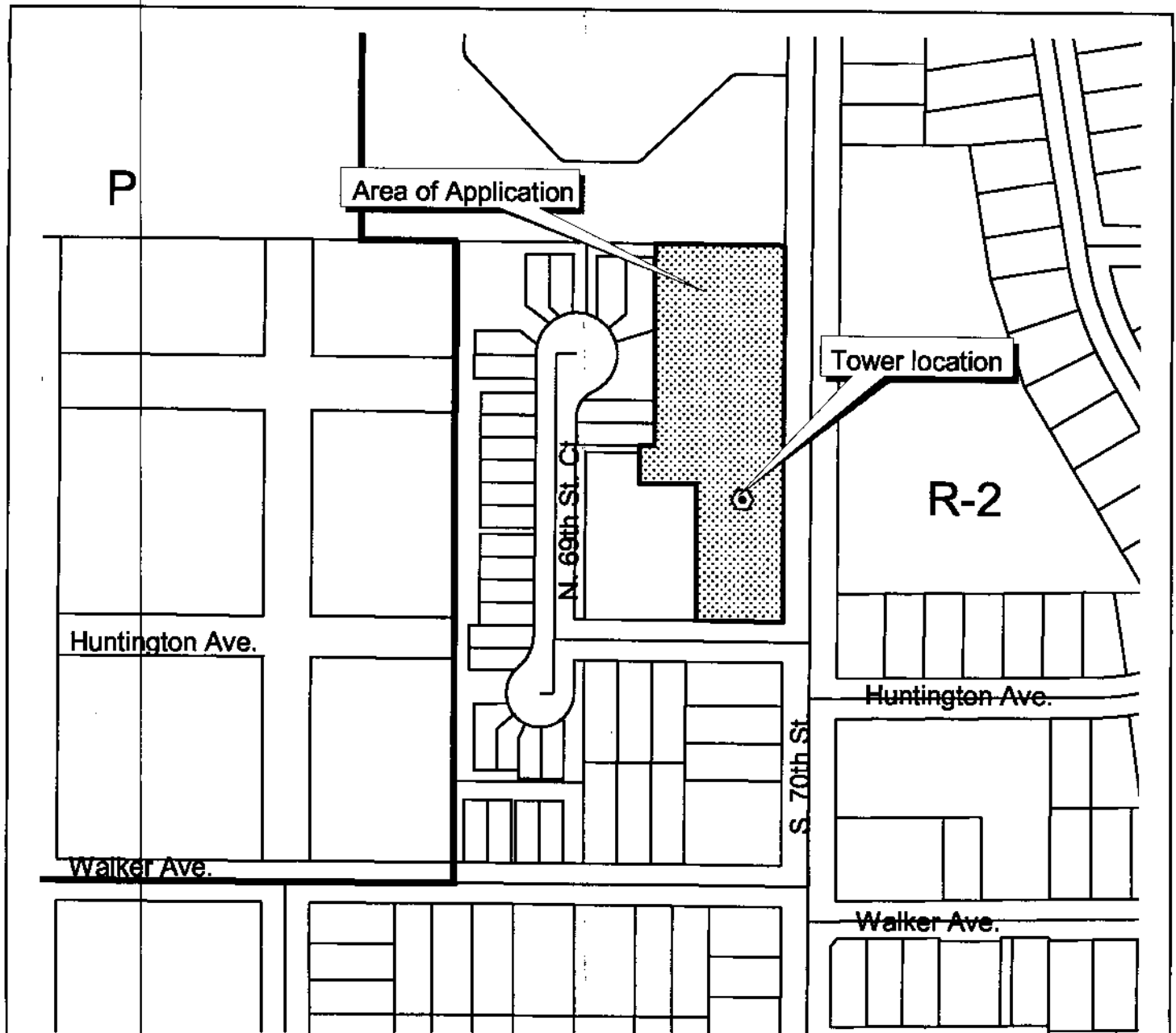


Sheet 1 of 2

Date: _____

Photograph Date: 1997

Lincoln City - Lancaster County Planning Dept.



Special Permit #1906
2601 N. 70th St.
Qwest Tower

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

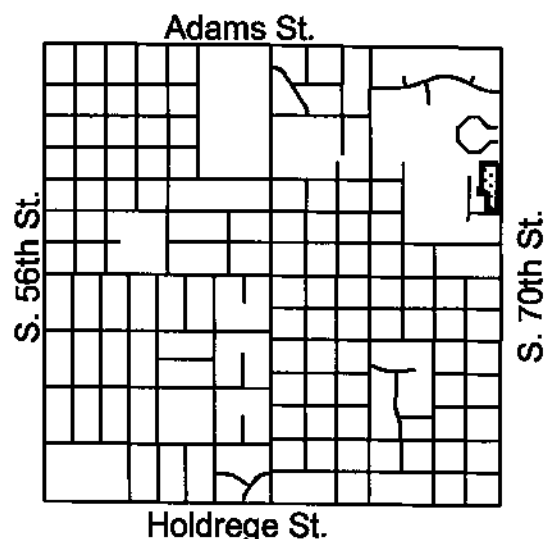
One Square Mile
Sec. 16 T10N R7E



Zoning Jurisdiction Lines



City Limit Jurisdiction



Sheet 2 of 2
 Date:

Lincoln City - Lancaster County Planning Dept.

NO.	DATE	BY	CHKD	APP'D	REVISION
1					
2					
3					
4					
5					
6					
7					
8					
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10					

Qwest.
Wireless

BY	DATE	CHKD	APP'D
DATE	DESCRIPTION		
2801 N 70TH STREET LINCOLN, NEBRASKA LN-025			
METAL POLE MOUNTED ANTENNAS AND OUTDOOR EQUIPMENT			
SHEET TITLE			
ELEVATION			
SHEET NUMBER			
Z-5			

